



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA : CONSENT ORDER OF FORFEITURE/
 : MONEY JUDGMENT

- v. - :

GERGORY MIKHALOV, : S8 12 Cr. 171 (JPO)

Defendant. :

- - - - - X

WHEREAS, on or about March 4, 2013, GREGORY MIKHALOV (the "defendant") was charged in Superseding Information S8 12 Cr. 171 (JPO) (the "Information") with conspiracy to commit mail fraud and health care fraud, in violation of 18 U.S.C. § 371 (Count One);

WHEREAS, the Information included a forfeiture allegation seeking forfeiture to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(7) and 28 U.S.C. §§ 2461(c), of all property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense charged in Count One of this Information, including but not limited to a sum of money equal to \$2,270,723.45 United States currency, in that such sum in aggregate is property representing the amount of gross proceeds obtained as a result of the offense charged in Count One;

WHEREAS, on or about March 4, 2013, the defendant pled guilty to Count One of the Information pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation and agreed to forfeit to the United States a sum of money equal to \$2,270,723.45 in United States currency, representing the amount of gross proceeds obtained from the offense charged in Count One of the Information;

WHEREAS, the defendant consents to the imposition of a money judgment in the amount of \$2,270,723.45 in United States currency, representing the amount of gross proceeds obtained as a result of the offense charged in Count One, pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(7) and 28 U.S.C. § 2461(c);

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney, Preet Bharara, United States Attorney, Assistant United States Attorney Daniel S. Goldman, of counsel, and the defendant, and his counsel, Scott Tulman, Esq. that:

1. As a result of the offense charged in Count One of the Information, a money judgment in the amount of \$2,270,723.45 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent

Order of Forfeiture/Money Judgment, this Order is final as to the defendant, GREGORY MIKHALOV, the defendant, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007, and shall indicate the defendant's name and case number.

4. Upon execution of this Consent Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of forfeitable property, including depositions,

interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

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GREGORY MIKHALOV, the Defendant

By: Gregory Mikhailov
GREGORY MIKHALOV

DATE

By: Scott Tulman
SCOTT TULMAN, Esq.
Attorney for Gregory Mikhalov

3-4-13
DATE

SO ORDERED:

J. Paul Oetken
HONORABLE J. PAUL OETKEN
United States District Judge

3/4/13
DATE